

UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson

**This document relates to:**

*Berge v. C.R. Bard, Inc., et al.*

Case No. 2:19-cv-731

**ORDER**

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 5.) Rule 25 provides that, “[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party.” Fed. R. Civ. P. 25(a)(1). “A motion for substitution may be made by any party or by the decedent’s successor or representative.” *Id.*

Following Plaintiff's death, Robert John Berge was appointed as personal representative of Plaintiff's estate. (ECF No. 5-2.) Plaintiff now moves for the substitution of Robert John Berge, as Personal Representative of the Estate of Robert Berge, Jr., as the proper plaintiff. (ECF No. 5.) Plaintiff's unopposed Motion to Substitute is **GRANTED**. The Clerk is directed to substitute Robert John Berge, as Personal Representative of the Estate of Robert Berge, Jr., as Plaintiff in place of Robert Berge, Jr.

**IT IS SO ORDERED.**

3/4/2024  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE